

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

STEUBEN FOODS, INC.,

Plaintiff,

v.

SHIBUYA HOPPMANN CORP.,
SHIBUYA KOGYO CO., LTD.,
and HP HOOD LLC,

Defendants.

Case No.: 1:10-cv-00781-EAW-JJM

DEFENDANTS SHIBUYA
HOPPMANN, SHIBUYA KOGYO,
AND HP HOOD'S NOTICE OF
SUPPLEMENTAL AUTHORITY IN
SUPPORT OF SECOND
RENEWED MOTION TO DISMISS
OR TRANSFER DUE TO
IMPROPER VENUE

In connection with its Second Renewed Motion to Dismiss Or Transfer Due to Improper Venue (Dkt. 448), Defendants Shibuya Hoppmann Corporation, Shibuya Kogyo Co., Ltd., and HP Hood LLC (collectively, "Defendants") submit this recent decision by the U.S. Court of Appeals for the Federal Circuit in *Westech Aerosol Corp. v. 3M Co.*, No. 2018-1699, 2019 WL 2896381 (Jul. 5, Fed. Cir. 2019), attached as Exhibit A. This case affirms the district court's dismissal of a patent infringement suit due to improper venue. This decision by the Federal Circuit is pertinent to the pending renewed motion by the Defendants to dismiss or, in the alternative, transfer due to improper venue.

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William D. Christ
PHILLIPS LYTLE LLP
One Canalside, 125 Main Street
Buffalo, New York 14203-2887
(716) 847-8332 (phone)
(716) 852-6100 (fax)
wchrist@phillipslytle.com

Respectfully submitted,

By /s/ J.C. Rozendaal
J.C. Rozendaal, *pro hac vice*
Byron L. Pickard, *pro hac vice*
STERNE, KESSLER, GOLDSTEIN &
FOX P.L.L.C.
1100 New York Avenue, N.W.
Washington, D.C. 20005
(202) 371-2600 (phone)
(202) 371-2540 (fax)
jcrozendaal@sternekessler.com
bpickard@sternekessler.com

*Attorneys for Defendants Shibuya Hoppmann
Corporation, Shibuya Kogyo Co., Ltd., and
HP Hood LLC*